

REMARKS

As an initial matter, Applicant has addressed the drawings concerns expressed by the Examiner (see paragraph 3 of Official Action) in the "Amendments to Drawings" section. Applicant submits herewith modified drawings showing the changes circled in red as required and substitute formal drawings for the drawings as originally filed, including the modifications. Applicant has also added reference legends to the specification and drawings to also address the concerns expressed by the Examiner in paragraph 4 of the Official Action. Applicant has made minor amendments to a few of the claims without prejudice and has added new claims 56-61.

Also, in the Official Action, the Examiner objected to Claims 1-47 under 35 U.S.C. § 112 as being indefinite (paragraph 6 of Official Action). Applicant respectfully disagrees. First, a proper 35 U.S.C. § 112 objection has not been set forth as no specifics have been delineated regarding what makes each of the claims indefinite. Second, FIGS. 11-12, for example, clearly illustrate an interconnection between portions of the system by a controller, a motor, a computer, a network, and software as understood by those skilled in the art. Flow charts are illustrated in FIGS. 1-6 to describe to those skilled in the art in detail how the system controller, computer, and software operate to perform the interconnections and functions. With all respect, Applicant submits that these drawings and detailed description clearly and succinctly accomplish this to one of ordinary skill in the art. Third, nothing in the Official Action delineates any evidence supporting the Examiner's allegations and why one skilled in the art would not understand the disclosure as clearly supporting the claims.

Further, the Examiner has objected to Claims 1-47 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully disagrees. Systems and methods are clearly statutory subject matter and no prima facie case has been set forth otherwise.

The Examiner has also objected to Claims 1-55 as being unpatentable over Applicant's own cited prior in the background section. Applicant disagrees. The Examiner has failed to set forth a proper prima facie showing under 35 U.S.C. § 103 as required. For example, the Examiner also has failed to show that every element in the claimed invention can be found in the alleged prior art or would be obvious. The Examiner also failed to set forth any evidence of obviousness other than the spurious allegation. Applicant respectfully submits that Applicant's claimed invention performs significantly more and adds additional elements than adding "automatic activity." Such assertion is simply misplaced and fails to address the distinctiveness,

novelty, and nonobviousness of the claims, including where the elements can be found in the art. Clearly, the cited art of interest fails to accomplish this. Accordingly, Applicant respectfully submits that Claims 1-55 and Claims 55-61 are patentable over the cited art.

In commenting upon the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the references and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims. Not all of the distinctions between the prior art and Applicant's present invention have been made by Applicant. For the foregoing reasons, Applicant reserves the right to submit additional evidence showing the distinctions between Applicant's invention to be nonobvious in view of the prior art.

The foregoing remarks are intended to assist the Examiner in re-examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered to be exhaustive of the facets of the invention that render it patentable, being only examples of certain advantageous features and differences that Applicant's attorney chooses to mention at this time.

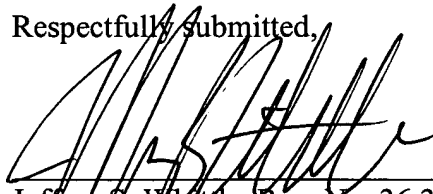
CONCLUSION

In view of the amendments and remarks set forth herein, Applicant respectfully submits that the application is in condition for allowance. Accordingly, the issuance of a Notice of Allowance in due course is respectfully requested.

Date: _____

5-6-05

Respectfully submitted,


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AMENDMENT TO THE DRAWINGS

Applicant submits herewith new substitute formal drawings (FIGS. 1-16) for the drawings as originally filed, including the proposed modifications to FIGS. 1-3, 5-6, 11-12, and 15 as follows:

FIG. 1 has been amended at numeral 114 to add "Y" and "N";

FIG. 2 has been amended at numeral 209 to add "Y" and "N", and a duplicate numeral 211 has been deleted;

FIG. 3 has been amended at numeral 307 to add "Y" and "N";

FIG. 5 has been amended at numeral 503 to add "N" and "Y" and at numeral 507 to add "Y" and "N";

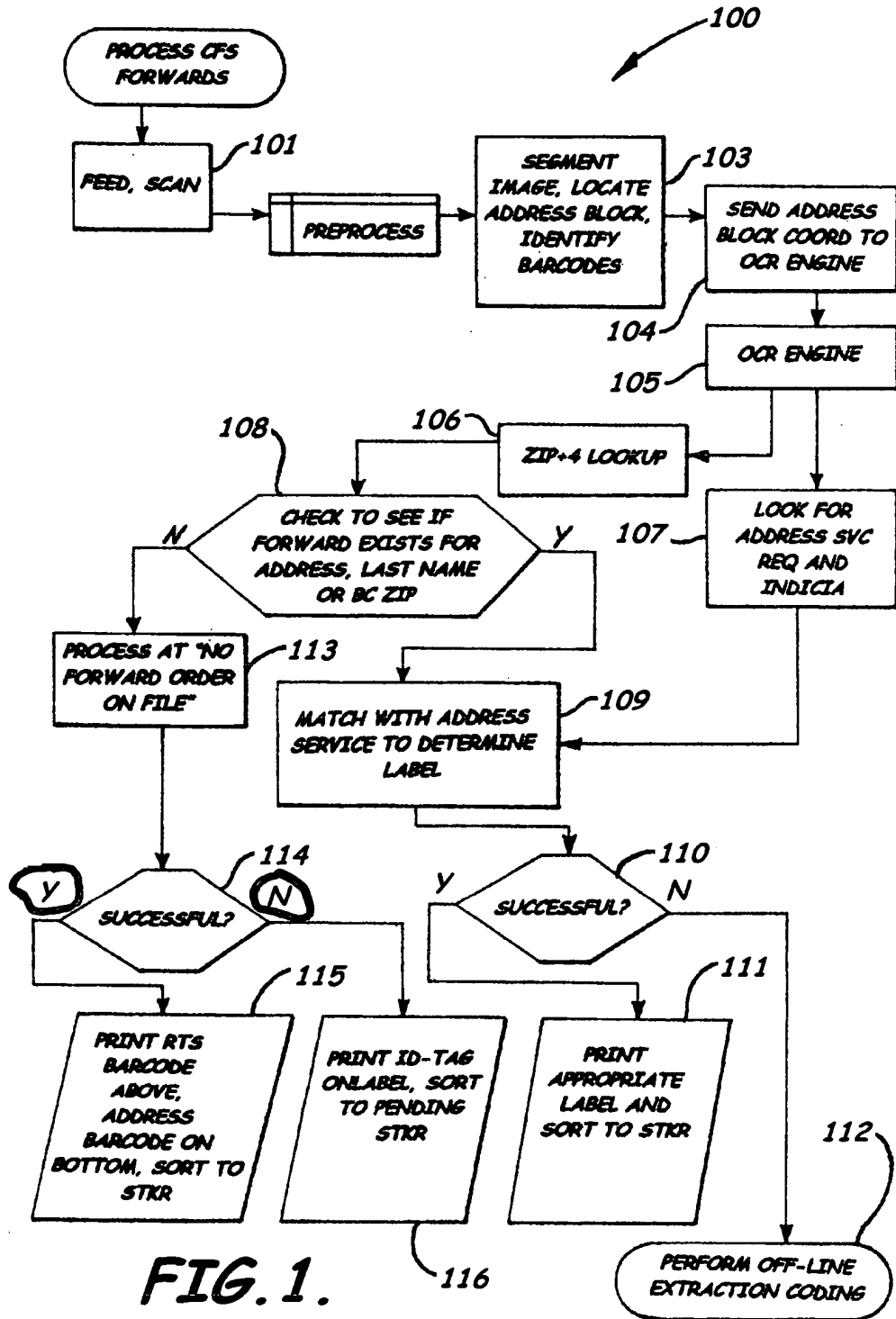
FIG. 6 has been amended at numeral 610 to add "N" and "Y" and at numeral 622 to add "Y" and "N";

FIG. 11 has been amended correcting numeral 707 to 701 and adding numeral 97;

FIG. 12 has been amended to add numerals 30, 22, 14, 15, 52, 12, and 11; and

FIG. 15 has been amended to add numerals 14 and 15.

The proposed modifications to FIGS. 1-3, 5-6, 11-12, and 15 are enclosed under a separate cover sheet and are circled in red as required.



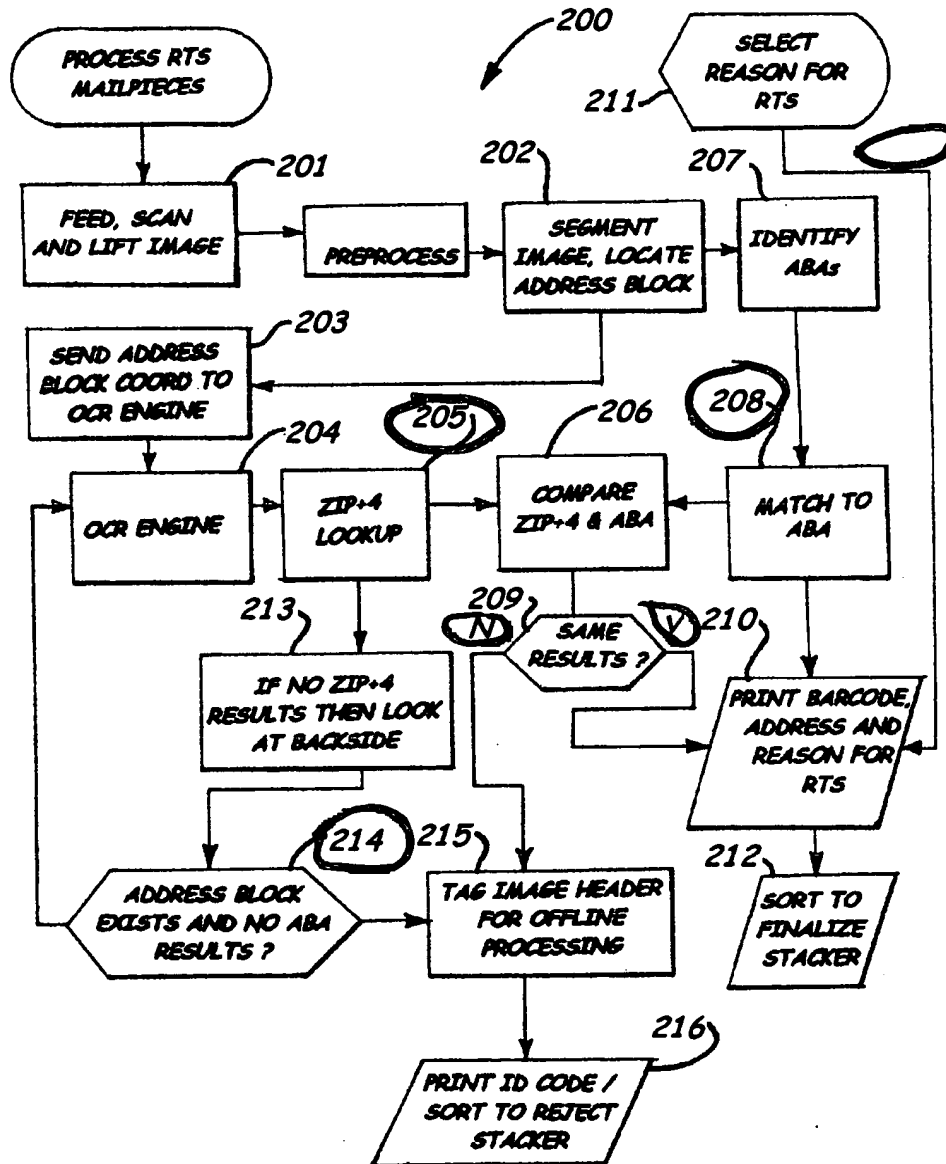
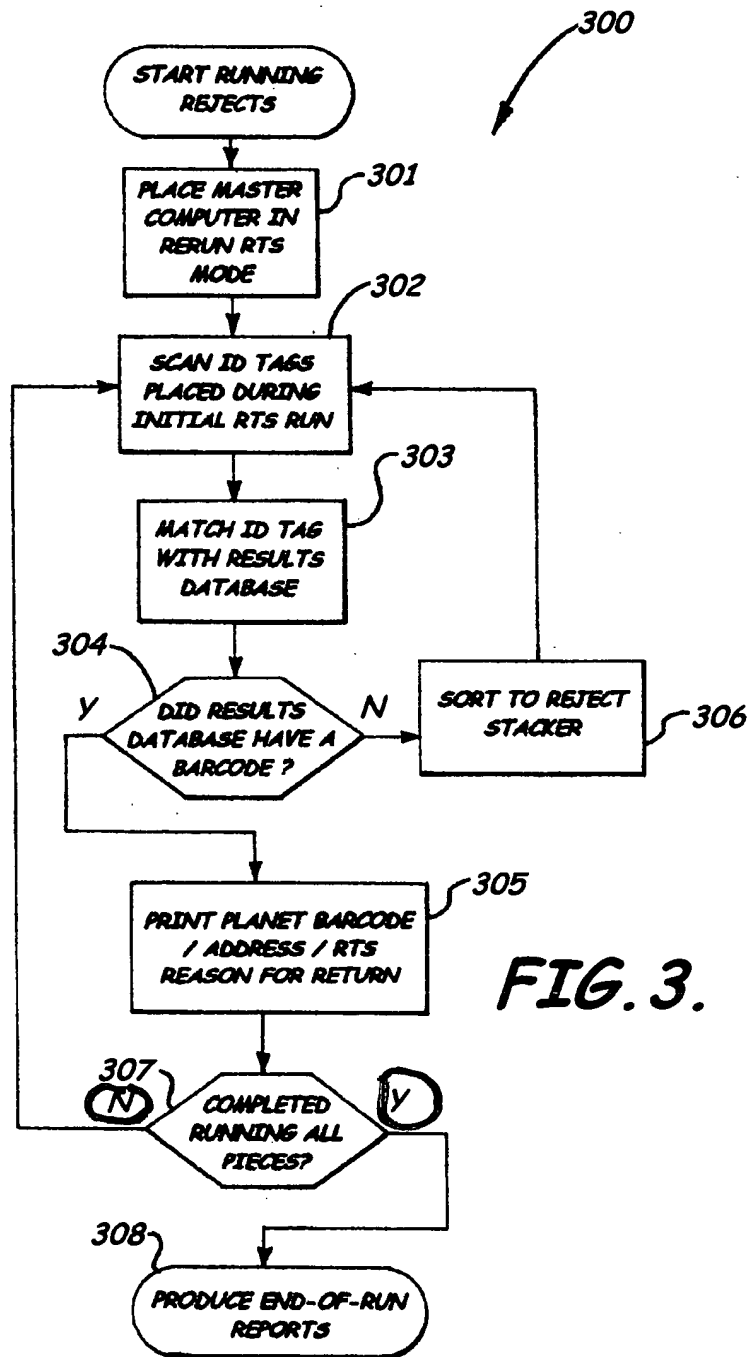


FIG. 2.



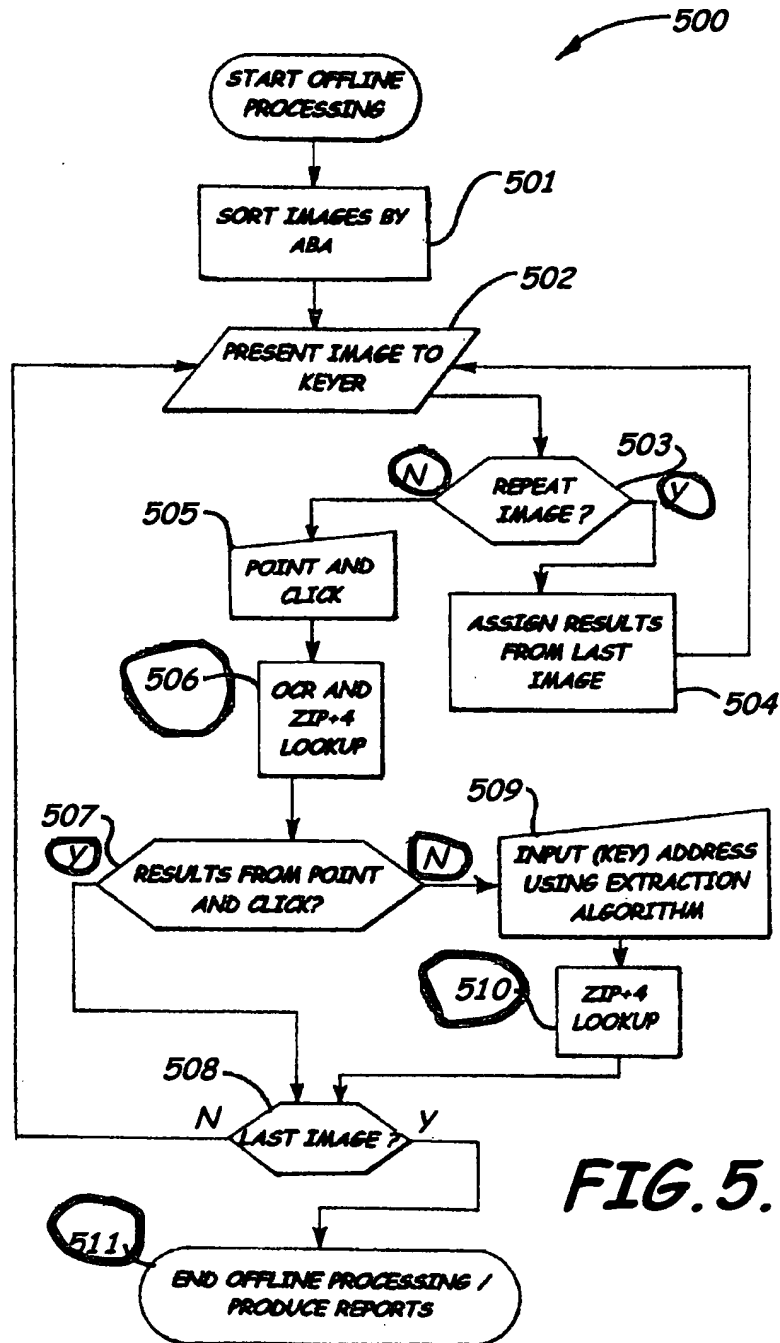


FIG. 5.

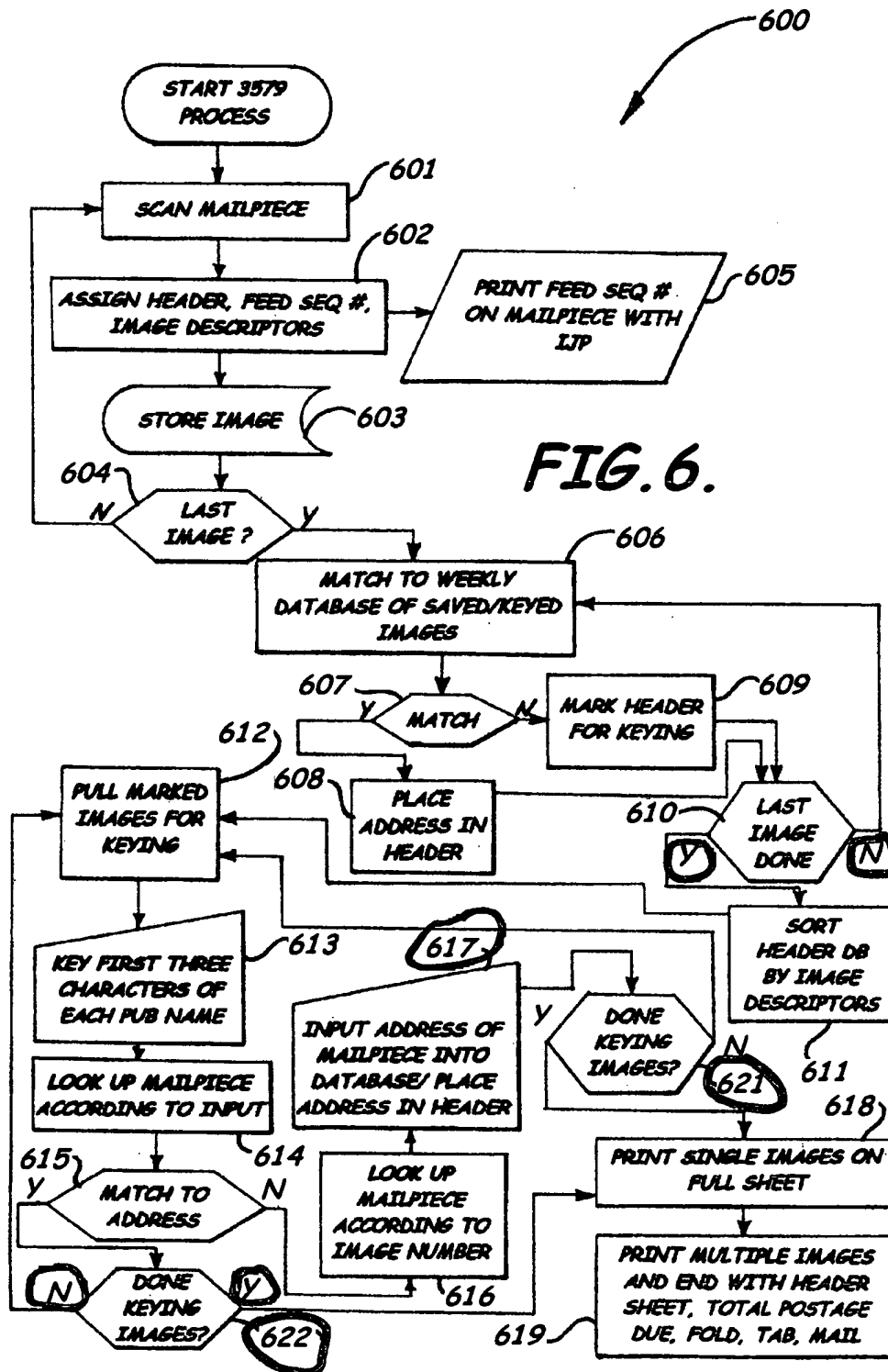


FIG. 11.

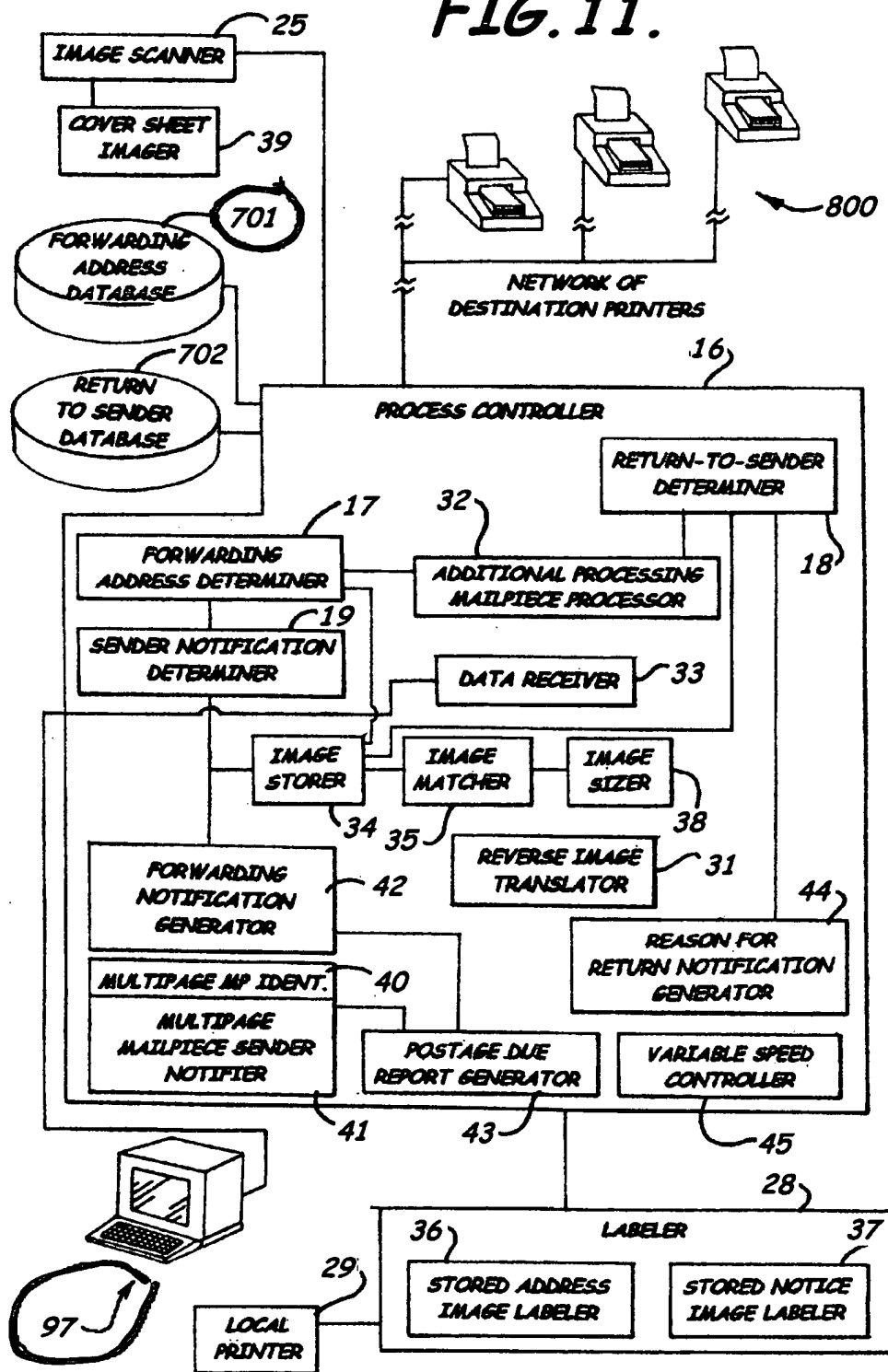


FIG. 12.

FIG. 13.

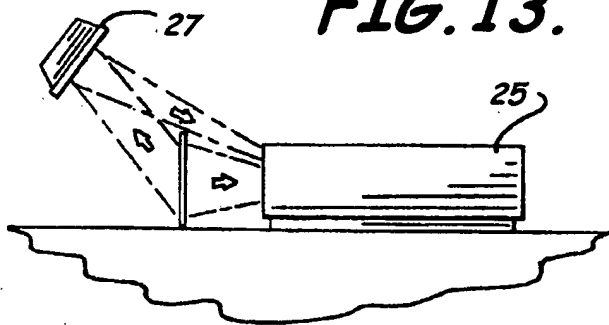


FIG. 14.

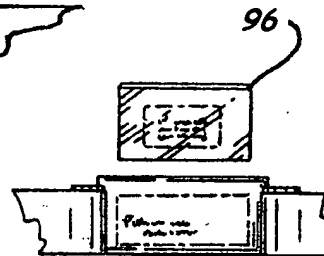


FIG. 15.

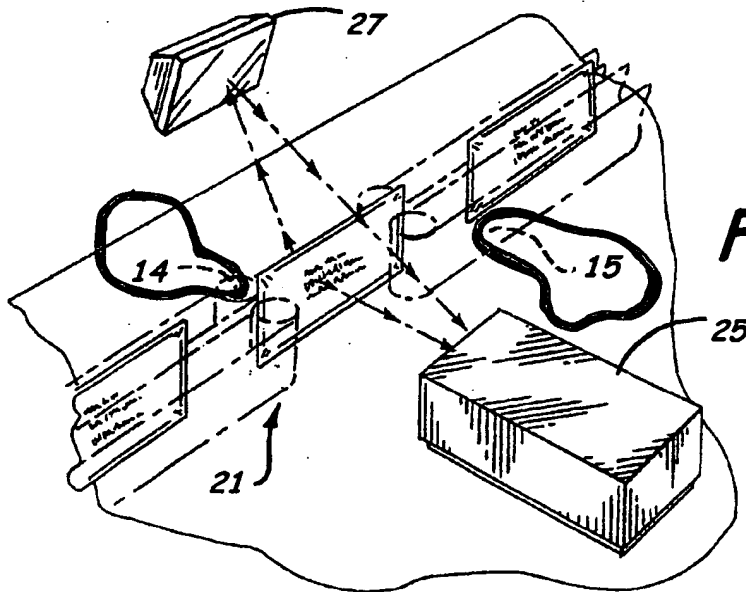


FIG. 16.

